

Testimony Submitted to the General Law Committee

**In Support of: S.B. No. 1002, AN ACT CONCERNING THE DEPARTMENT OF
CONSUMER PROTECTION**

**Submitted By: W. Phillips Barlow ASLA LEED AP
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Good afternoon Senator Colapietro, Representative Shapiro and members of the General Law Committee. I appreciate the opportunity to provide testimony to you today regarding this policy initiative.

My name is Phil Barlow. I have been a licensed landscape architect for over 20 years, serve on the State Landscape Architecture Licensing Board and have served in the past on the executive Board of the CT chapter of the American Society of landscape Architects.

My firm is comprised of landscape Architects and Civil Engineers and my business partner is a civil engineer. Approximately 5 years ago we were advised by our attorney that the best organizational structure for us was a Limited Liability Corporation. When we tried to register our firm as TO Design LLC Landscape Architects and Civil Engineers, we ran into an unmovable restraint. Chapter 391 specifies various LLC arrangements between architects, engineers and surveyors. Conspicuously missing from the roster is Landscape Architects. We were told by legal counsel that in all likelihood this omission was an oversight, as the partnering of Engineers and Landscape Architects is a common organizational structure. In my case, to legally continue our arrangement we would need to organize as a partnership, S Corporation or C corporation. The LLC option is not available to us.

I respectfully submit that this is not a level playing field and deprives my firm from enjoying the benefits of an LLC organization. In this harsh business climate, small businesses like TO Design need every available tool to survive.

Our recommended modifications to section 306b include provisions which would allow landscape architects the ability to form joint practice companies under the same provisions that currently exist in the engineering and surveying professions. In addition, we propose the elimination of the minimum ownership requirement for each participating profession. The joint practice would still mandate a two thirds ownership by any combination of one or more of the participating disciplines.

Thank you for this opportunity to provide testimony

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